



Land Use and Zoning Meeting Minutes

July 25, 2013

STAFF:	David Radachy
DATE:	July 26, 2013

The Land Use and Zoning Committee hereby finds and determines that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 6:30 p.m.

Attendance was taken by sign-in sheet. The following members were present: Messrs. Constantine, Hanford, Terriaco, and Welch and Ms. Diak. Staff: David Radachy.

No public comments were made.

Mr. Radachy stated that there was one case from Painesville Township.

Painesville Township – Modification to the Maple View PUD

Staff stated that this is a modification on the Maplevue FPUD. The FPUD district was established in 2005. The new property owner wishes to make changes to what has been agreed upon. The change is large and significant enough to have another public hearing. Staff went on to state that the developer is proposing to increase the number of units from 104 to 172. The units would be for seniors as opposed to the general public. He is proposing to eliminate the commercial development from the site. He is proposing to increase the open space. He is eliminating the public right-of-way and the subdivision on this site. Staff showed the original layout and new layout.

Staff also stated that the reason for the change is the increase of wetlands on the site. Staff and the committee had a discussion on how the site had a history of being wet and how the half finished development could have increased the amount of wetlands on the site. The committee discussed how the US Army Corps of Engineers and the OEPA do not care if the wetlands are natural or man made. They only care if they exist on the site.

Staff stated that the Land Use and Zoning Committee and the Lake County Planning Commission recommended denying the FPUD on this site in 2005 based on the 1996 Comprehensive Plan recommending this site to be industrial. He also stated that the 2007 Comprehensive Plan took into account the change in zoning to FPUD in 2005. The 2007 Comprehensive Plan recommended that the area be multi-family. The comprehensive plan committee did not really review the site closely because the zoning change was recent and the development had already begun. Staff stated that the 2007 Comprehensive Plan is silent on senior housing.

The fact that the developer did not provide information on ownership of the units or if the units are going to be rented or sold was brought to the attention of the committee. The 2007 Painesville Township Comprehensive Plan recommended higher end multi-family units that are owner occupied.

The committee was concerned that this information was missing. The committee believed that they were looking at rentals and not at owner occupied units, so they were concerned about recommending approval on the units.

Mr. Hanford asked staff what they would recommend. Staff stated that they would recommend the modification so long as it met the 2007 Comprehensive Plan requirement that it was owner occupied housing. Staff was concerned about the missing information.

Mr. Hanford made a motion recommending modification to senior multi-family housing units.
Mr. Terriaco seconded the motion.

Mr. Constantine requested discussion on the motion.

He was concerned that we were recommending approval on the modification without important information on the ownership of the units. The Painesville Township Comprehensive Plan clearly states that units are to be owner occupied. If we recommended for the change without knowing the ownership, he felt we were going against the comprehensive plan.

Ms. Diak was concerned that this would become an issue in the future because not all the information was included. She did not want to start the chain of approvals, one group approving it because the group ahead of them approved it. She felt that they needed to be specific on the units before we can make a recommendation. She asked if we could ask for information.

Staff state no. This is a recommendation to the Painesville Township Zoning Commission and they are having a public hearing next month. We are to give the best possible recommendation with information presented. In the end, it just a recommendation. As we have seen, they can use or throw out recommendations. Painesville Township approved Maple View PUD in 2005 after we recommended denying it.

Staff recommended amending the motion to read: Land Use and Zoning recommends the modification to allow the use of Senior Multi-Family Units so long as it meets the Painesville Township Comprehensive Plan requirement of Condominium Ownership. The committee was agreeable to that recommendation.

Ms. Diak made a motion to amend the recommendation to read: Land Use and Zoning recommends the modification to allow the use of Senior Multi-Family Units so long as it meets the Painesville Township Comprehensive Plan requirement of Condominium Ownership.
Mr. Hanford seconded the motion.

All voted "Aye".
Motion to amend passed.

Mr. Welch asked for a vote on the motion.

Three voted "Aye".
Two voted "Nay"
Motion passed.

Mr. Welch asked for any new business. Staff stated that there was none.

Mr. Welch asked for any old business. Staff stated that there was none.

There was no public comment.

Mr. Welch made a motion to adjourn.

Mr. Constantine seconded.
All voted "Aye".
Motion passed.

The meeting adjourned at 7:04 PM.